

CANADA LEGISLATURE.

RETURN to an Address of the Honourable the House of Commons;
dated 7th June 1830;—for

COPY or EXTRACTS of the ANSWERS of the Governors
of *Upper and Lower Canada* to that part of the
Despatch of the Secretary of State for the Colonies,
dated 29th September 1828, which related to the
state of the Executive and Legislative Councils of
Upper and Lower Canada.

Colonial Department,
Downing-street,
14th June 1830.

R. W. HAY.

Ordered, by The House of Commons, to be Printed.

24 *June* 1830.

1550
(9)

Castle of St. Lewis, Quebec, 3d January 1828.

SIR,

THE great diversity of opinion which prevails in this province on almost every subject of political interest, and the difficulty which I have experienced since my assumption of the Government in obtaining correct information upon several important topics to which you called my attention in your Despatch of the 29th September 1828, have prevented my replying, at an earlier period, to that part of it in which you require me to afford you information respecting the Legislative and Executive Councils.

You are pleased, in that Despatch, to desire me to report to you, whether it would be expedient to make any alteration in the general constitution of these bodies, and especially how far it would be desirable to introduce a larger proportion of members not holding office at the pleasure of the Crown; and if it should be considered desirable, how far it may be practicable to find a sufficient number of persons of respectability of this description.

The Paper, No. 1, which I have the honour herewith to transmit to you, will afford you, I trust, all the information which you desire in respect to the present composition of the Legislative and Executive Councils.

The former consists, as you will observe, of twenty-three members, and of these, twelve hold offices under the Crown, seven are large landed proprietors unconnected with the Government; three are merchants also unconnected with the Government, and one member has been absent from the province for several years; sixteen of the number are Protestants, and seven are Roman Catholics; eight are natives of the province, and fifteen are natives of the United Kingdom, or born in other countries.

The Executive Council consists at present, of nine members, of whom only one is entirely unconnected with the Government, two are natives of the Canadas, and all are Protestants except one Roman Catholic member.

After giving the subject my best consideration, I confess that I am not, at present, prepared to point out any material alteration in the general constitution of either of the Councils which it will be expedient to make; but I am humbly of opinion, that it will be very desirable to introduce, by degrees, a large proportion of members not holding offices at the pleasure of the Crown into the Legislative Council, and that the Judges (with the exception of the Chief Justice of the Province) should not be, in future, appointed to seat on either of these bodies. I am further disposed to think that it will be expedient to appoint one or two of the most distinguished members of the House of Assembly to the Executive Council, with the view of giving the popular branch of the Legislature confidence in the local government, an object, it appears to me, of the greatest importance to the peace, prosperity, and happiness of the colony.

The three gentlemen that I have recently had the honour of recommending to His Majesty for seats in the Legislative Council are large landed proprietors in the

the province, and persons of the greatest respectability; and although it would certainly be exceedingly difficult to select any great number of persons of the same description, yet a sufficient number, I should hope, may be found to fill the vacancies that may occur in either of the Councils.

I have the honour to be, Sir,

Your most obedient humble servant,

(signed) *James Kempt.*

The Right Hon. Sir Geo. Murray, G. C. B.
&c. &c. &c.

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RETURN of the Members of the Legislative and Executive Councils for the Province of Lower Canada.

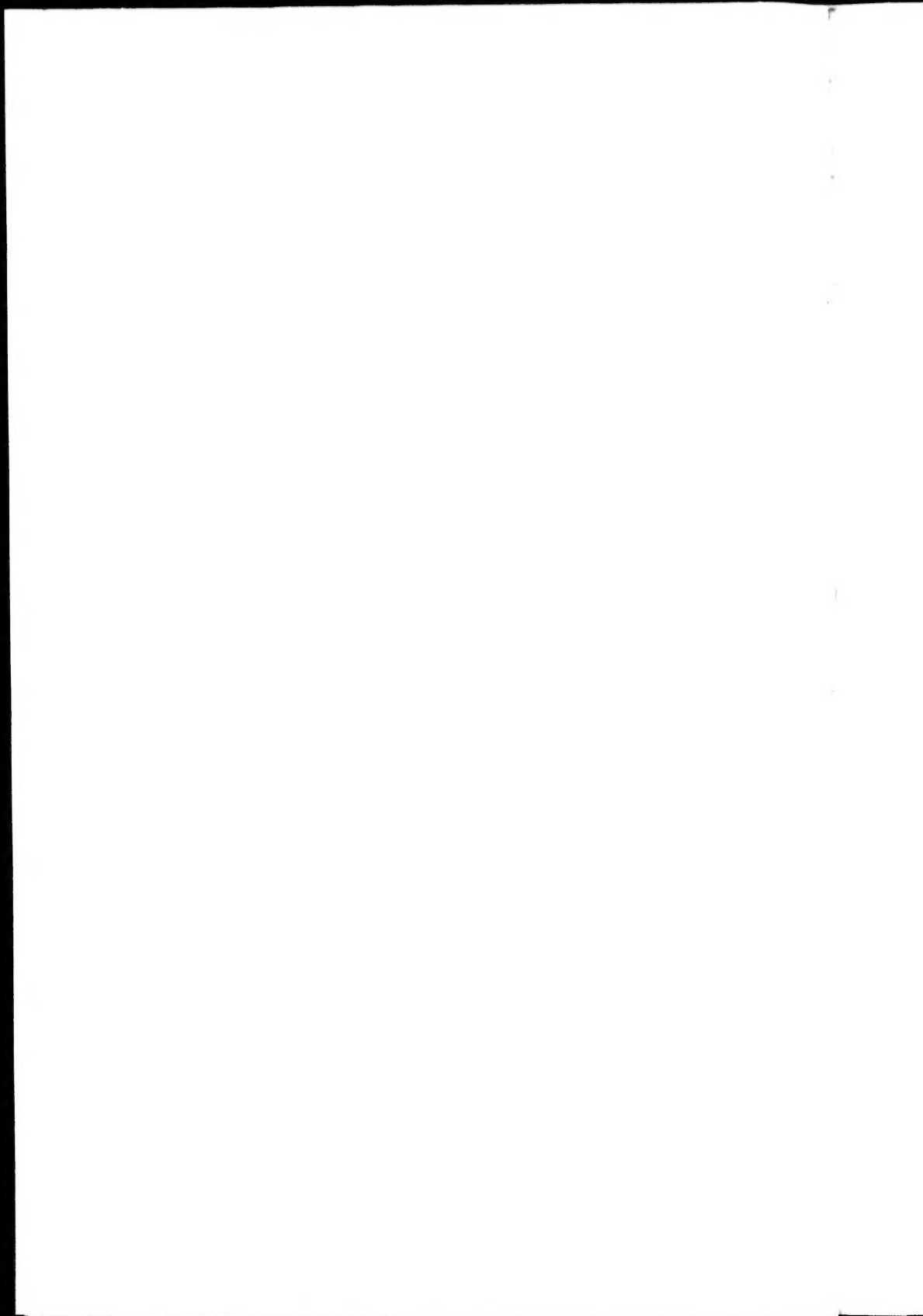
LEGISLATIVE COUNCIL.

No.	NAMES.	Whether holding any Office under Government.	REMARKS.
1.	Jonathan Sewell (the Speaker).	- - chief justice of the province and member of the executive council.	- - of a family from the state of Massachusetts.
2.	Lord Bishop of Quebec.	- - a member of the executive council, but without pay.	- - a native of the United Kingdom; the Protestant bishop.
3.	Sir Geo. Pownall	none	- - a native of the United Kingdom, absent for several years from the province.
4.	Charles de St. Ours.	none	- - a Canadian gentleman of large landed property.
5.	John Hale	- - receiver-general of the province.	- - a native of the United Kingdom, but possessing large landed property in Lower Canada.
6.	John Richardson	- - a member of the executive council.	a British merchant.
7.	John Caldwell	none	- - formerly receiver-general of the province.
8.	Heman W. Ryland	- - clerk of the executive council, and one of the clerks of the Crown in Chancery in Lower Canada.	- - a native of the United Kingdom, but resident in Canada for thirty-six years.
9.	James Garbert	none	- - a native of Lower Canada, and possessed of large property in the province.
10.	Charles W. Graft	none	- - a native of Lower Canada, possessing large property in the province.

(continued)

No.	NAMES.	Whether holding any Office under Government.	REMARKS.
11.	Pierre D. Dehartzel.	none	- - a native of Lower Canada, possessing large property in the province.
12.	Thomas Coffin	- - chairman of quarter sessions at Three Rivers.	- - originally from the United States.
13.	Roderick McKenzie.	none	- - originally from the United Kingdom, and a large land proprietor.
14.	Louis René Chaussegros De Léry.	- - grand voyer for the district of Montreal.	- - a native of Lower Canada.
15.	Louis Gagy	- - sheriff for the district of Montreal.	- - a native of Switzerland; possesses considerable landed property in the province.
16.	James Kerr	- - a puisne judge of the court of King's Bench for the district of Quebec; judge of the court of Vice Admiralty for Lower Canada, and a member of the executive council.	- - a native of the United Kingdom.
17.	Edward Bowen	- - a puisne judge of the court of King's Bench for the district of Quebec.	- - a native of the United Kingdom.
18.	Wm. B. Felton	- - commissioner of Crown lands.	- - a native of the United Kingdom.
19.	Matthew Bell	none	- - a native of the United Kingdom; a merchant; a landed proprietor.
20.	Foussaint Pothier.	none	- - a Canadian gentleman, and possessing large landed property.
21.	John Stewart	- - commissioner for managing the peasant estates, master of the Trinity-house at Quebec, a member of the executive council.	- - a native of the United Kingdom; many years a British merchant residing in Canada, but now retired from business.
22.	John Forsyth	none	- - a British merchant.
23.	Jean Thomas Taschereau.	- - a puisne judge of the court of King's Bench for the district of Quebec.	- - a native of Lower Canada, and a landed proprietor.





RECAPITULATION.

Members who hold Offices under the Government:

The chief justice and three puisne judges, the lord bishop of the diocese, and seven other members	12
Members holding office under Government	12
Members who are large landed proprietors, and unconnected with the Government	7
Members who are merchants, and unconnected with the Government	3
Member absent in England for several years	1
	<hr/> 23 <hr/>
Members natives of the Canadas	8
Members natives of the United Kingdom, or other parts	15
	<hr/> 23 <hr/>
Roman Catholic members	7
Protestant members	16
	<hr/> 23 <hr/>

Three new members (gentlemen of extensive landed property, and unconnected with the Government) have been recently recommended for seats in the Legislative Council in the room of three members deceased, viz.

- * James Phillip Saveuse de Beaujeu, a gentleman of one of the best Canadian families in the province, and possessed of extensive landed property.
- * Samuel Watt, Esq. an English gentleman, the proprietor of a valuable seignory on which he resides.
- * D. B. Viger, Esq. a Canadian gentleman, possessed of considerable landed property; one of the oldest barristers in the country, and a member of the House of Assembly.

* These gentlemen have been confirmed as Legislative Councillors.

EXECUTIVE COUNCIL.

No.	NAMES.	Whether held in conjunction with any other Office.	REMARKS.
1.	Jonathan Sewell	-- chief justice of the province, and speaker of the legislative council.	-- originally from the state of Massachusetts.
2.	Lord Bishop of Quebec	-- member of the legislative council, with precedence next to the speaker.	-- a native of the United Kingdom.
3.	John Richardson	-- member of the legislative council.	-- a British merchant.
4.	James Kerr	-- a puisne judge of the court of King's Bench for the district of Quebec, judge of the court of Vice Admiralty for the province of Lower Canada, and a member of the legislative council.	-- a native of the United Kingdom.
5.	William Smith	-- clerk of the legislative council, and a master in chancery attending the council.	family from the United States.
6.	Charles De Lery	-- assistant clerk of the legislative council, and a master in chancery attending the said council.	-- a native of Lower Canada.
7.	John Stewart	-- a member of the legislative council; master of the Trinity-house at Quebec; and commissioner for managing the public estates.	-- a native of the United Kingdom.
8.	A. W. Cochran	Law clerk to the legislative council; auditor of land patents; commissioner of the court of appeals for Lower Canada.	-- a native of Nova Scotia.
9.	James Stewart	Attorney-general of the province of Lower Canada.	-- a native of Canada.

Of the nine members of which the Executive Council at present consists, only one, Mr. Richardson, is entirely unconnected with the Government.

Protestant members 8.

Roman Catholic member 1.

The attorney-general, and one other member, are natives of the Canadas.

